

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
Civil Action No. 1:17-CV-1113

NORTH CAROLINA DEMOCRATIC PARTY; CUMBERLAND COUNTY DEMOCRATIC PARTY; DURHAM COUNTY DEMOCRATIC PARTY; FORSYTH COUNTY DEMOCRATIC PARTY; GUILFORD COUNTY DEMOCRATIC PARTY; MECKLENBURG COUNTY DEMOCRATIC PARTY; ORANGE COUNTY DEMOCRATIC PARTY; and WAKE COUNTY DEMOCRATIC PARTY,

Plaintiffs

v.

PHILLIP E. BERGER, in his official capacity as PRESIDENT PRO TEMPORE OF THE NORTH CAROLINA SENATE; TIMOTHY K. MOORE, in his official capacity as SPEAKER OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES; THE STATE OF NORTH CAROLINA; THE NORTH CAROLINA BIPARTISAN STATE BOARD OF ELECTIONS AND ETHICS ENFORCEMENT; and KIMBERLY STRACH, in her official capacity as EXECUTIVE DIRECTOR OF THE NORTH CAROLINA BIPARTISAN STATE BOARD OF ELECTIONS AND ETHICS ENFORCEMENT,

Defendants

DEFENDANTS' JOINT RESPONSE  
IN OPPOSITION TO PLAINTIFFS'  
MOTION FOR PRELIMINARY  
INJUNCTION

NOW COME Defendants, by and through their respective undersigned counsel, and hereby submit this Response in Opposition to Plaintiffs' Motion for a Preliminary Injunction. In support of their opposition, Defendants rely upon their Joint Memorandum in Opposition to Plaintiffs' Motion for Preliminary Injunction filed contemporaneously herewith.

WHEREFORE, Defendants respectfully request that this Court deny Plaintiffs' Motion for Preliminary Injunction.

Respectfully submitted this 12<sup>th</sup> day of January, 2018.

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Attorney General

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official capacity as Executive  
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and Ethics Enforcement, THE  
STATE OF NORTH CAROLINA  
BIPARTISAN STATE BOARD OF  
ELECTIONS AND ETHICS  
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capacity as President Pro Tempore of  
the North Carolina Senate and  
TIMOTHY K. MOORE, in his official  
capacity as Speaker of the North  
Carolina House of Representatives*

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day electronically filed the foregoing Response in Opposition with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel and parties of record.

This the 12<sup>th</sup> day of January, 2018.

/s/ James Bernier, Jr.  
James Bernier, Jr.  
Special Deputy Attorney General